

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

YUSEF HOLLINS

Petitioner,

v.

LORIE DAVIS-DIRECTOR TDCJ-CID,

Respondent.

§
§
§
§
§
§
§
§
§

5:18-CV-00109-M-BQ

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Petitioner has filed an application for a writ of habeas corpus challenging a state prison disciplinary decision. On December 6, 2018, the United States Magistrate Judge made Findings, Conclusions, and a Recommendation that the application be denied because Petitioner is not eligible for mandatory supervised release. No objections were filed. The District Court reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate.

IT IS THEREFORE ORDERED that the petition for writ of habeas corpus is **DENIED** and **DISMISSED** with prejudice for failure to state a claim.

Considering the record in this case and pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure and Rule 11(a) of the Rules Governing § 2254 Proceedings, and 28 U.S.C. § 2253(c), the Court **DENIES** a certificate of appealability. The Court adopts and incorporates by reference the Magistrate Judge's Findings, Conclusions, and Recommendation filed in this case in support of its finding that the petitioner has failed to show that reasonable jurists would (1) find this Court's "assessment of the constitutional claims debatable or wrong," or (2) find "it debatable

whether the petition states a valid claim of the denial of a constitutional right” and “debatable whether [this Court] was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

Judgment shall be entered accordingly.

In the event that the petitioner files a notice of appeal, the Court notes that the petitioner will need to pay the \$505.00 appellate filing fee or submit an application to proceed *in forma pauperis*.

SIGNED this 11th day of January, 2019.


BARBARA M. G. LYNN
CHIEF JUDGE